



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JLP:ddj

Docket No: 5755-99

19 January 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 January 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 7220 PERS 822 of 9 November 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

**NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**

7220
PERS-822
9 Nov 99

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: Assistant for BCNR Matters, Pers-00ZCB

Subj: COMMENTS AND RECOMMENDATION ICO [REDACTED]
[REDACTED]

Ref: (a) NPC memo 5420 PERS-00ZCB of 26 Oct 99
(b) Title 10 USC 971

Encl: (1) BCNR file with Microfiche

1. Reference (a) request comments and recommendations in subject officer's case. Specifically, Petitioner requests correction of his pay entry base date his time in the Naval Academy.

2. Per reference (b), the period of service under an enlistment or period of obligated service while also performing service as a cadet or midshipman or serving as a midshipman in the Naval Reserve may not be counted in computing, for any purpose, the length of service of an officer of an armed force. [REDACTED] served as a midshipman in the Naval Academy from 6 July 1983 to 19 May 1987.

3. No action is required. Member's pay entry base date remains the same: 8 December 1984. Enclosure (1) is returned.

A handwritten signature in black ink, appearing to read "K. S. Riddle", is located below the text of the memorandum.

K. S. RIDDLE
Asst Branch Head,
Officer Retirements